

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:96-CR-84

v.

HON. ROBERT HOLMES BELL

SAMMY DYER,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence arising from Amendments 706 and 711 of the United States Sentencing Guidelines pursuant to 18 U.S.C. §3582(c)(2) (docket #611). Based on a review of defendant's motion, the Sentence Modification Report, submissions by counsel on behalf of the defendant and the government, and the original criminal file, the Court has determined that the motion should be denied for the following reason(s):

The quantity of drugs attributable to defendant at the time of sentencing exceeded 4,500 grams. Accordingly, defendant is not eligible to receive a sentence reduction pursuant to 18 U.S.C. 3582(c)(2).

Date: November 4, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE